

REMARKS/ARGUMENTS

Favorable reconsideration of this application is respectfully requested.

The specification is amended by the present response to correct minor informalities.

The changes made to the specification are deemed to be self-evident from the original disclosure, and thus are not deemed to raise any issues of new matter.

Claims 1-49 are pending in this application. Claims 1-3, 7, 8, 34, 35, 39, 40, and 44-49 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. patent 6,304,313 to Honma. Claims 4-6, 9-11, 36-38, and 41-43 were rejected under 35 U.S.C. § 103(a) as unpatentable over Honma as described in Claims 1, 7, 34, and 39, and further in view of U.S. patent 6,167,469 to Safai et al. (herein “Safai”). Claims 12-14, 18, 19, 23-25, 29 and 30 were rejected under 35 U.S.C. § 103(a) as unpatentable over Honma in view of U.S. publication 2001/0015760A1 to Fellagara et al. (herein “Fellagara”). Claims 15-17, 20-22, 26-28, and 31-33 were rejected under 35 U.S.C. § 103(a) as unpatentable over Honma, Fellagara, and further in view of Safai.

Initially, applicant and applicant’s representative wish to thank Examiners Pham and Moore for the interview granted applicant’s representative on March 16, 2004. During that interview the outstanding rejections were discussed in detail. Further, during that interview claim amendments were discussed to clarify the claims over the applied art. The present response sets forth the discussed claim amendments. During the interview applicant’s representative also pointed out distinctions between the claims and the applied art. During the interview the Examiners indicated they would further consider such claim amendments and differences when formally presented in a filed response.

Addressing now the rejection of claims 1-3, 7, 8, 34, 35, 39, 40, and 44-49 under 35 U.S.C. § 102(e) as anticipated by Honma, that rejection is traversed by the present response.

It is initially noted that each of the pending independent claims is amended by the present response to clarify features recited therein. More particularly, independent claim 1 is amended by the present response to clarify that the selection unit also has an operation “with which a destination to receive the image data can be selected”. That subject matter is fully supported by the original specification at for example Figure 10, step S400.

According to an operation clarified in the claims a user can select a destination to which image data is to be sent. As also recited in independent claim 1, and as similarly recited in the other independent claims, an “image processing unit subjects this data [to be sent to the destination] to an image processing that the selected destination requires, prior to providing the image data to the destination”. One non-limiting example of the benefits of such a feature are discussed in the present specification with respect to sending image data either to a facsimile machine or to a different type of destination. As discussed for example in the present specification at page 22, line 20 et. seq., when the attribute of the destination is a facsimile, a processing can be executed for properly scaling an image for the destination facsimile machine, see also for example the present specification at page 23, lines 4-15. Such operations need not be performed when the destination is not a facsimile machine.

In such ways, in the claims as currently written the destination of image data will control processing of that image data.

Such features are believed to clearly distinguish over the applied art to Honma.

With respect to the features directed to “said image processing unit subjecting this data to an image processing that a destination requires” as was previously positively recited in independent claim 1, and as is now even further clarified in each of the independent claims, the outstanding Office Action references in Honma the CPU 117, Fig. 1, col. 5, lines 60-67 to column 6, lines 1-9, to meet such features.<sup>1</sup>

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<sup>1</sup> Office Action of January 30, 2004, page 2, last paragraph.

In response to that position applicants note that at no portion at the cited indications in Honma does Honma teach or even allude to controlling an image processing based on a selected destination to which image data is to be sent.

In such ways, applicant believes that each of the pending claims clearly distinguishes over the teachings in Honma.

Further, with respect to the further rejections based on Honma and further in view of Safai, and/or Fellagara, those rejections are also traversed by the present response as no teachings in Safai or Fellagara are believed to overcome the above-noted deficiencies of Honma.

In such ways, applicants respectfully submit that each of the pending claims is allowable over the applied art.

As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

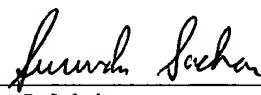
Respectfully submitted,

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